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Via ECF

The Honorable Vernon S. Broderick
United States District Court for the
Southern District of New York
40 Foley Square
New York, NY 10007

May 12, 2023

APPLICATION GRANTED

SO ORDERED *Vern Bro*

VERNON S. BRODERICK

U.S.D.J. 05/15/2023

The parties shall submit the revised stipulation by June 12, 2023. By May 30, 2023, the City Defendants shall provide a status update on the current state of the execution and return of the revised stipulation.

Re: Jones v. City of New York, et al., No. 18 CV 1937 (VSB)(GWG)

Dear Judge Broderick:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, the Honorable Sylvia O. Hinds-Radix, attorney for Defendants City of New York, Corizon Health, Inc., Commissioner Joseph Ponte, Dr. Rostislav Davydov, and PA Jorge Villalobos (collectively, the “City Defendants”) in the above-referenced action.

I write in connection with the Court’s direction to refile the deficient stipulation of settlement between the City Defendants and Plaintiff and to clarify what, if any, parties and/or claims remain in the action, (ECF Nos. 180, 182.), and I also write to respectfully request that the time for the relevant parties to refile the stipulation be extended to June 12, 2023. In connection with resubmitting the stipulation of settlement, counsel for Defendant Segal, Plaintiff, and I spoke on the telephone on April 17, 2023, to discuss the scope of the stipulation of settlement. In light of those discussions, draft stipulations are *en route* to Plaintiff for his consideration. After he reviews them, it is hoped that he will execute and return a stipulation for submission to the Court.

In the meantime, I am accountable for the delays in providing these draft stipulations to Plaintiff, and in their filing with the Court. I apologize to the Court and to Plaintiff for any frustration or inconvenience this delay may have caused. Immediately after the April 17, 2023 telephone conversation between the parties, and in light of a colleague’s unanticipated absence, I was tasked with responding to and coordinating the Law Department’s approach to the

unexpected filing, over the following two-and-a-half weeks, of over fifty expedited election proceedings relating to the June Democratic primary election. This was profoundly disruptive to my other cases. Subsequently, medical issues have required me to be frequently absent from the office. I regret that the effects of both the election proceedings and my illness have reached this action.

Returning to the matter of the draft stipulations under Plaintiff's review, I respectfully request that the deadline for the parties to file the stipulation be extended to June 12, 2023, or alternatively, to provide a status update on that day concerning Plaintiff's execution and return of a stipulation. This will afford Plaintiff time to consider the stipulations and to further discuss with him any questions or concerns he may have. I contacted Dr. Segal's counsel to determine whether he consented to this timeline, but I have not yet received a response. Due to Plaintiff's pro se and incarcerated status, I have also not been able to receive his consent to the proposed timeline. This is the City Defendants' first request for the extension of the time by which the stipulation must be refiled.

I thank the Court for its consideration of this application.

Respectfully yours,

/s/ David S. Thayer

David S. Thayer

cc: ***Via First-Class Mail***
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